Remarks

Applicants respectfully request reconsideration of this application as amended. No claims have been amended. No claims have been cancelled. Therefore, claims 1-33 are presented for examination.

Claims 1-33 stand rejected under 35 U.S.C. §102(e) as being anticipated by Malek et al. (U.S. Patent No. 6,253,207). Applicants submit that the present claims are patentable over Malek.

Malek discloses a method and apparatus for separately transporting multiple media streams (i.e., video, voice and data) across heterogeneous networks. See Malek at col. 2, ll. 28-36. In particular, Malek discloses a plurality of network nodes, each node including a multimedia traffic handler. The multimedia traffic handler separates each monomedia stream from a composite multimedia signal and transmits the signals to different buffers. In addition, the multimedia traffic handler requests connections for each monomedia component from source to destination with desired capacity values (col. 5, ll. 55 – col. 6, ll. 6).

Claim 1 of the present application recites:

> A storage medium having stored therein a plurality of programming instructions executable by a processor, wherein when executed, the programming instructions implement a multi-media call application that effectuate quality of service (QOS) guaranty for a packet based multi-media call (CALL) through call associated individual media stream bandwidth control.

Applicants submit that nowhere in Malek is there disclosed a multi-media call application that effectuate quality of service guaranty for a packet based multi-media call through call associated individual media stream bandwidth control. As a result claim 1 is patentable over Malek.

Claims 2-9 depend from claim 1 and include additional limitations. Thus, claims 2-9 are also patentable over Malek.

Claim 10 recites:

A storage medium having stored therein a plurality of programming instructions executable by a processor, wherein when executed, the programming instructions implementing a bandwidth reservation service that requests a sub-net bandwidth manager (SBM) to allocate a portion of reserved bandwidth for a packet based multi-media call (CALL) to an individual media stream of the CALL, providing the SBM with call level information to allow the SBM to associate the individual media stream of the CALL with the reserved bandwidth of the CALL, the SBM managing network bandwidth of a local area network (LAN) through which the CALL is conducted.

Malek discloses a multimedia traffic handler that separates monomedia streams from a composite multimedia signal and transmit the signals to their destination. Nevertheless, Malek does not disclose a bandwidth reservation service that requests a sub-net bandwidth manager to allocate a portion of reserved bandwidth for a packet based multi-media call to an individual media stream of the multi-media call. Accordingly, claim 10 is patentable over Malek. Since claims 11-13 depend from claim 10 and include additional limitations, applicants submit that claims 11-13 are also patentable over Malek.

Claim 14 recites:

A method comprising:

(a) a multi-media call application first reserving bandwidth for media streams of a packet based multi-media call (CALL) at a call level with a sub-net bandwidth manager (SBM) that manages network bandwidth of a local area network (LAN) through which the CALL is to be conducted; and

(b) the multi-media call application subsequently causing the SBM to allocate the reserved bandwidth for the CALL to individual media streams of the CALL, causing call level information to be provided to the SBM to enable the SBM to associate the individual media streams of the CALL with the reserved bandwidth of the CALL.

Thus, for the reasons described above with respect to claim 10, claim 14 is also patentable over Malek. Since claims 15-19 depend from claim 14 and include additional limitations, applicants submit that claims 15-19 are also patentable over Malek.

Claim 20 recites:

An apparatus comprising:
a storage medium having stored therein a plurality of programming instructions implementing a multi-media call application that effectuates quality of service (QOS) guaranty for a packet based multi-media call (CALL) using call associated individual media stream bandwidth control; and
a processor coupled to the storage medium that operates to execute the programming instructions.

Therefore, for the reasons described above with respect to claim 1, claim 20 is also patentable over Malek. Because claims 21-25 depend from claim 20 and include additional limitations, applicants submit that claims 21-25 are also patentable over Malek.

Claim 26 recites:

An apparatus comprising:
a storage medium having stored therein a plurality of programming instructions implementing a bandwidth reservation service that requests a sub-net bandwidth manager (SBM) to allocate a portion of reserved bandwidth for a packet based multi-media call (CALL) to an individual media stream of the CALL, providing the SBM with call level information to allow the SBM to associate the individual media stream of the CALL with the reserved bandwidth of the CALL, the SBM managing network bandwidth of a local area network (LAN) through which the CALL is conducted; and
a processor coupled to the storage medium that operates to execute the programming instructions.

Thus, for the reasons described above with respect to claim 10, claim 26 is also patentable over Malek. Since claims 27 and 28 depend from claim 26 and include additional limitations, applicants submit that claims 27 and 28 are also patentable over Malek.

Claim 29 recites:

A network comprising:
a first client computer;
a medium coupled to the first client; and
a second client computer, coupled to the medium, that effectuates quality of service (QOS) guaranty for a packet based multi-media call (CALL) to the first client computer through call associated individual media stream bandwidth control.

Therefore, for the reasons described above with respect to claim 1, claim 29 is also patentable over Malek. Because claims 30-33 depend from claim 29 and include additional limitations, applicants submit that claims 30-33 are also patentable over Malek.

Claims 1-6, 10, 12, 14-33 stand rejected under 35 U.S.C. §102(b) as being anticipated by Drake, Jr., et al. (U.S. Patent No. 5,461,611) ("Drake"). Applicants submit that the present claims are patentable over Drake

Drake discloses establishing a bandwidth reservation for a multi-media call. Together, components 12 and 13 assemble a request to reserve a QoS connection for a multi-media data stream on that path through the LAN 17 between source station 10 and target station 29. Drake further discloses allocating a CALL or establishing the bandwidth reservations for a full multi-media data stream that includes everything associated with the multi-media communication. As stated in the Background, "merely managing a LAN's bandwidth at the call level often results in waste, as there is no correlation to the actual bandwidth consumption by the media streams of the calls." See Drake at Page 2, lines 14-16.

Nothing is taught or suggested in Drake that individual media streams of a multi-media call are bandwidth controlled as required as stated above by each of the independent claims. Therefore, Drake does not disclose programming instructions implement a multi-media call application that effectuate quality of service (QOS) guaranty for a packet based multi-media call (CALL) through call associated individual media stream bandwidth control; nor a SBM managing network bandwidth of a local area network (LAN) through which the CALL is conducted. Accordingly, the present claims are patentable over Drake.

Claims 7-9 and 13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Drake, Jr., et al. (U.S. Patent No. 5,461,611) in view of O'Neil et al. (U.S. Patent No. 5,963,547).

O'Neil discloses a centralized multipoint conferencing arrangement that uses a combination of multicast and unicast transmissions that are bandwidth efficient. See O'Neil

at Abstract. Nevertheless, O'Neil does not disclose or suggest programming instructions implement a multi-media call application that effectuate quality of service (QOS) guaranty for a packet based multi-media call (CALL) through call associated individual media stream bandwidth control, or a SBM managing network bandwidth of a local area network (LAN) through which the CALL is conducted.

As discussed above, Drake also does not disclose such limitations. As a result, any combination of Drake and O'Neil would also not disclose or suggest programming instructions implement a multi-media call application that effectuate quality of service (QOS) guaranty for a packet based multi-media call (CALL) through call associated individual media stream bandwidth control, or a SBM managing network bandwidth of a local area network (LAN) through which the CALL is conducted. Therefore, the present claims are patentable over Drake in view of O'Neil.

Applicants respectfully submit that the rejections have been overcome, and that the claims are in condition for allowance. Accordingly, applicants respectfully request the rejections be withdrawn and the claims be allowed.

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,
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